

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JACKIE DAVIDSON,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting Commissioner  
of Social Security,

Defendant.

Case No. 16-cv-1164-JPG-CJP

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Court's February 22, 2019, order for plaintiff Jackie Davidson to show cause (Doc. 23) why the Court should not construe her failure to respond to the defendant Commissioner's motion to dismiss (Doc. 22) as an admission of the merits of the motion and dismiss this case without prejudice. The Court warned Davidson that if she failed to respond to the order to show cause, the Court might dismiss this action for lack of prosecution pursuant to Federal Rule of Civil Procedure 41(b) and the Court's inherent authority to manage its docket. *See In re Bluestein & Co.*, 68 F.3d 1022, 1025 (7th Cir. 1995).

Davidson has not responded to the order to show cause. Therefore, as it warned it would, the Court:

- **CONSTRUES** her failure to file a timely response to the Commissioner's motion to dismiss as an admission of the merits of the Commissioner's motion to dismiss, *see* Local Rule 7.1(c);
- **GRANTS** the Commissioner's motion to dismiss (Doc. 22),
- **DISMISSES** this case **without prejudice**; and
- **DIRECTS** the Clerk of Court to enter judgment accordingly.

**IT IS SO ORDERED.**

**DATED: March 6, 2019**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**